

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

INSITUFORM TECHNOLOGIES, INC.,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 04-10487 GAO
)	
AMERICAN HOME ASSURANCE)	
COMPANY,)	
)	
Defendant.)	
)	

**AMERICAN HOME ASSURANCE COMPANY'S ASSENTED-TO MOTION FOR
ENLARGEMENT OF TIME TO STAY EXECUTION OF JUDGMENT**

Defendant American Home Assurance Company (“American Home”) hereby moves for an enlargement of time up to and including April 28, 2008, to continue the stay of execution of the Judgment in this action so that American Home can obtain a supersedeas bond to submit to the Court pending American Home’s appeal to the United States Court of Appeals for the First Circuit.

In support of this Motion, American Home states as follows:

1. On March 31, 2008, this Court entered Judgment in favor of Plaintiff Insituform Technologies, Inc. (“Insituform”) in this action in the amount of \$7,683,817.04. [Docket Entry 98.]
2. American Home plans to appeal the Judgment and all orders and rulings adverse to American Home in this action to the United States Court of Appeals for the First Circuit.

3. Federal Rule of Civil Procedure 62(d) provides for an automatic stay of a final judgment once the appellant has filed its appeal and posted a supersedeas bond in an amount approved by the court. See Becker v. United States, 451 U.S. 1306, 1308 (1981) (Rule 62(d) is automatic stay provision).

4. American Home is working to obtain a supersedeas bond in compliance with Fed. R. Civ. P. 62(d) and the local civil rules. American Home believes that it will take approximately two weeks to obtain such a bond.

6. Allowing this Motion will allow American Home to procure a bond in an amount that will protect Insituform's interests pending appeal.

7. Insituform assents to the relief requested in this Motion.

WHEREFORE, for the foregoing reasons, American Home respectfully requests that this Court:

1. Stay execution of the Judgment up to and including April 28, 2008; and
2. Grant such other further relief the Court deems just and appropriate.

LOCAL RULE 7.1(A) CERTIFICATION

By signing below, the undersigned certifies that he has conferred in good faith with counsel for Plaintiff and that Plaintiff assents to the relief requested in this Motion.

Respectfully submitted,

AMERICAN HOME ASSURANCE COMPANY,

By its attorneys,

/s/ Gregory P. Deschenes

Gregory P. Deschenes (BBO #550830)

gdeschenes@nixonpeabody.com

Kurt M. Mullen (BBO #651954)

kmullen@nixonpeabody.com

NIXON PEABODY LLP

100 Summer Street

Boston, Massachusetts 02110

(617) 345-1000

(617) 345-1300 (facsimile)

Dated: April 10, 2008

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon all parties registered for electronic notification via the Court's electronic filing system on April 10, 2008.

/s/ Gregory P. Deschenes

Gregory P. Deschenes